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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,253	02/13/2001	Takumi Hasegawa	Q63086	8082

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EXAMINER	
ROSALES HANNER, MORELLA I	
ART UNIT	**PAPER NUMBER**
2128	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/781,253	HASEGAWA, TAKUMI	
	Examiner	Art Unit	
	Morella I Rosales-Hanner	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 February 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *02/21/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. **Claims 1 – 23** have been examined and are pending.

Information Disclosure Statement

2. The information disclosure statement (IDS) filed January 19th, 2001 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. The IDS has been placed in the application file, but the information referred to therein has not been considered.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4.1 **Claims 1 – 23** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by a printed publication by **U.S. Patent No. 6,414,693** issued to Berger et al. hereafter referred to as *Berger*.

4.1.1 As regard to **claim 1**, *Berger* teaches [**Abstract**] a system for designing and ordering of custom products, which is equivalent to user request reflecting design system for reflecting user's requests on a product claimed in claim 1, comprising:

- design data publicizing means for publicizing design data to users through a computer network [**Col 6, lines 36 – 54**];
- correction data receiving means for receiving and storing correction data as said design data corrected by a user through said computer network [**Col 8, lines 1 – 10**]; and
- design assisting means for reflecting said correction data received by said correction data receiving means on product design [**Col 7, lines 44 – 62**].

4.1.2 As regard to **claim 2**, *Berger* teaches [**Col 8, lines 1 – 10**] design data that is three-dimensional data.

4.1.3 As regard to **claim 3**, *Berger* teaches the design system as set forth in claim 1, wherein said design data publicizing means includes:

- public design data prepared in advance to be publicized among said design data [**Col 6, lines 48 – 61**],
- an editing program file for editing said public design data [**Col 7, lines 56 - 60**], and
- a design data publicizing processing unit responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal [**Col 7, lines 26 – 60**].

4.1.4 As regard to **claim 4** *Berger* teaches the design system as set forth in claim 1, wherein said design data publicizing means includes:

- public design data prepared in advance to be publicized among said design data [**Col 6, lines 48 – 61**],
- an editing program file for editing said public design data [**Col 7, lines 56 - 60**], and
- a design data publicizing processing unit responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal, and wherein said editing program file enables editing of three-dimensional data [**Col 7, lines 26 – 60**].

4.1.5 As regard to **claim 5**, *Berger* teaches the design system as set forth in claim 1, wherein said correction data receiving means including:

- a data base for registering said correction data [**Col 8, lines 1 – 12**], and
- a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**].

4.1.6 As regard to **claim 6**, *Berger* teaches the design system as set forth in claim 1, wherein said design data publicizing means including:

- public design data prepared in advance to be publicized among said design data [**Col 6, lines 48 – 61**],
- an editing program file for editing said public design data [**Col 7, lines 56 - 60**], and
- a design data publicizing processing unit [**Col 7, lines 26 – 60**] responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal, and said correction data receiving means including:
    - a data base for registering said correction data [**Col 8, lines 1 – 12**],
    - and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**].

4.1.7 As regard to **claim 7**, *Berger* teaches the design system as set forth in claim 1, wherein said correction data receiving means includes:

- a data base for registering said correction data [**Col 8, lines 1 – 12**], and
- a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**], said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail [**Col 4, lines 1 – 29**].

4.1.8 As regard to **claim 8**, *Berger* teaches the design system as set forth in claim 1, wherein said design data publicizing means including:

- public design data prepared in advance to be publicized among said design data [**Col 6, lines 48 – 61**],
- an editing program file for editing said public design data [**Col 7, lines 56 - 60**], and
- a design data publicizing processing unit responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal [**Col 7, lines 26 – 60**], and said correction data receiving means including a data base for registering said correction data [**Col 8, lines 1 – 12**], and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**], said received mail

processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail [**Col 4, lines 1 – 29**].

4.1.9 As regard to **claim 9**, *Berger* teaches the design system as set forth in claim 1, wherein said design data publicizing processing unit including:

- information entry selecting means allowing a user to select either information entry in the form of a menu or transfer of said public design data and said editing program file [**Col 7, lines 11 – 56**].

4.1.10 As regard to **claim 10**, *Berger* teaches the design system as set forth in claim 1, wherein said correction data receiving means including:

- a data base for registering said correction data [**Col 8, lines 1 – 12**], and
- a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**], and in creation of said design data by said design assisting means, said correction data registered in said data base is used [**Col 7, lines 10 – 19**].

4.1.11 As regard to **claim 11**, *Berger* teaches [**Fig 3 and corresponding text**] a method for designing and ordering of custom products, which is equivalent to user

request reflecting design method for reflecting user's requests on a product claimed in claim 11, comprising the steps of:

- publicizing design data to users through a computer network **[Col 6, lines 36 – 54]**;
- receiving correction data as said design data corrected by a user through said computer network **[Col 8, lines 1 – 10]**; and
- reflecting said correction data received on the product design **[Col 7, lines 44 – 62]**,

4.1.12 As regard to **claim 12**, *Berger* teaches the design method as set forth in claim 11, wherein said design data publicizing step includes the step of in response to a request from a terminal connected to said computer network, transferring public design data prepared in advance to be publicized among said design data **[Col 6, lines 36 – 54]** and an editing program file for editing said public design data to said terminal **[Col 7, lines 26 – 60]**.

4.1.13 As regard to **claim 13**, *Berger* teaches the design method as set forth in claim 11, wherein said correction data receiving step including the step of receiving an electronic mail to which said correction data is attached and registering said correction data in a data base for registering said correction data **[Col 8, lines 10 – 19]**.

4.1.14 As regard to **claim 14**, *Berger* teaches the design method as set forth in claim 11, wherein said design data publicizing step includes the step of:

- in response to a request from a terminal connected to said computer network, transferring public design data prepared in advance to be publicized among said design data and an editing program file for editing said public design data to said terminal **[Col 7, lines 26 – 60]**, and
- said correction data receiving step including the step of receiving an electronic mail to which said correction data is attached and registering said correction data in a data base for registering said correction data **[Col 8, lines 10 – 19]**.

4.1.15 As regard to **claim 15**, *Berger* teaches the design method as set forth in claim 11, wherein said correction data receiving step including the steps of:

- receiving an electronic mail to which said correction data is attached**[Col 8, lines 10 – 19]**, and
- classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail **[Col 4, lines 1 – 29]**.

4.1.16 As regard to **claim 16**, *Berger* teaches the design method as set forth in claim 11, wherein said design data publicizing step including the step of:

- in response to a request from a terminal connected to said computer network, transferring public design data prepared in advance to be publicized among said design data and an editing program file for editing said public design data to said terminal **[Col 7, lines 26 – 60]**, and

- said correction data receiving step including the step of
    - receiving an electronic mail to which said correction data is attached **[Col 8, lines 10 – 19]**,
    - classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail **[Col 4, lines 1 – 29]**.

4.1.17 As regard to **claim 17**, *Berger* teaches **[Fig 1, element 116]** a server of a system for designing and ordering of custom products, which is equivalent to server of the user request reflecting design system for reflecting user's requests on a product claimed in claim 17, comprising:

- design data publicizing means for publicizing design data to users through a computer network **[Col 6, lines 36 – 54]**; and
- correction data receiving means for receiving correction data as said design data corrected by a user through said computer network; and correction data so as to be usable by design assisting means for reflecting said correction data on product design**[Col 8, lines 1 – 10]**.

4.1.18 As regard to **claim 18**, *Berger* teaches the server as set forth in claim 17, wherein said design data publicizing means includes:

- public design data prepared in advance to be publicized among said design data **[Col 6, lines 48 – 61]**,

- an editing program file for editing said public design data [**Col 7, lines 56 - 60**], and
- a design data publicizing processing unit responsive to a request from a terminal connected to said computer network for transferring said publicdesign data and said editing program file to said terminal [**Col 7, lines 26 – 60**].

4.1.19 As regard to **claim 19**, *Berger* the server as set forth in claim 17, wherein said correction data receiving means includes:

- a data base for registering said correction data [**Col 8, lines 1 – 12**], and
- a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**].

4.1.20 As regard to **claim 20**, *Berger* the server as set forth in claim 17, wherein said design data publicizing means includes:

- public design data prepared in advance to be publicized among said design data [**Col 6, lines 48 – 61**],
- an editing program file for editing said public design data [**Col 7, lines 56 - 60**], and
- a design data publicizing processing unit responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal [**Col 7, lines 26 – 60**], and said correction data receiving means including a data base for registering said correction data [**Col 8, lines 1 – 12**], and a received mail processing unit for receiving an electronic

mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**].

4.1.21 As regard to **claim 21**, *Berger* teaches the server as set forth in claim 17, wherein said correction data receiving means includes:

- a data base for registering said correction data [**Col 8, lines 1 – 12**], and
- a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**], said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail [**Col 4, lines 1 – 29**].

4.1.22 As regard to **claim 22**, *Berger* teaches the server as set forth in claim 17, wherein said design data publicizing means includes:

- public design data prepared in advance to be publicized among said design data [**Col 6, lines 48 – 61**],
- an editing program file for editing said public design data [**Col 7, lines 56 - 60**], and
- a design data publicizing processing unit responsive to a request from a terminal connected to said computer network for transferring said public design data and said editing program file to said terminal [**Col 7, lines 26 – 60**], and said correction data receiving means including a data base for registering said

correction data [**Col 8, lines 1 – 12**], and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base [**Col 8, lines 10 – 19**], said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail [**Col 4, lines 1 – 29**].

4.1.23 As regard to **claim 23**, *Berger* teaches the server as set forth in claim 17, wherein said design data publicizing processing unit includes:

- information entry selecting means allowing a user to select either information entry in the form of a menu or transfer of said public design data and said editing program file [**Col 7, lines 11 – 56**].

Additional references

5. The following is a list of references that are relevant to the claimed invention but were not cited by the examiner:

- US Patent No. 6,741,265 issued to Ghosh et al.
- US Patent No. 6,256,663 issued to Hugh O. Davis
- US Patent No. 5,767,848 issued to Matzuzaki et al.

- Special Reprint of Collaborative Engineering article, "CoCreate Launches Web-enabled Collaboration Solution", Nov 1998, Vol 7, Issue 11
- Technical Factsheet OneSpace for version 4B released Dec 1999
- Jim Cooke; "Capturing Notes and Session Information"; OneSpace whitepaper; 2000
- Jeff Emmel; "Integrating Collaboration Technology and Enterprise PDM"; OneSpace whitepaper; 2000
- Arnold Mueller; "Shared Engineering"; OneSpace whitepaper; 2000
- Michael Wendenburg; "Collaborative Engineering"; OneSpace whitepaper; 2000
- Adam W. Grosser; "Collaborative Viewing"; OneSpace whitepaper; 2000
- John MacKrell; "Review of CoCreate OneSpace "Acollaborative Design Infrastructure" "; CIMdata; January 1999

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Morella Rosales-Hanner whose telephone number is (703) 305-8883. The examiner can normally be reached Monday-Friday from 7:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean Homere can be reached on 703 308-6647. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MRH

Aug. 24th, 2004

JEAN R. HOMERE
PRIMARY EXAMINER